

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 06, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISRAEL MENDOZA SALAS,

Defendant.

No. 1:21-CR-02019-SAB-1

**ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL**

Before the Court is Defendant's Unopposed Motion to Continue Trial, ECF No. 24, and associated Motion to Expedite, ECF No. 26. The motions were considered without oral argument and on an expedited basis. Defendant Israel Mendoza Salas is represented by Assistant Federal Defenders Paul Shelton and Nick Mirr. The United States of America is represented by Assistant United States Attorney Richard Burson.

Mr. Salas and his counsel request that the Court continue the pretrial conference, trial date, and related deadlines in this matter to provide additional time to review discovery and perform factual and legal investigation. ECF No. 24 at 2. The United States does not oppose the request. *Id.* at 3. Mr. Salas filed a signed Waiver of Speedy Trial excluding time under the Speedy Trial Act, 18 U.S.C. § 3161, to September 12, 2022. ECF No. 25. For the specific reasons stated in Mr. Salas' motion, the Court finds that the ends of justice served by such a continuance outweigh the public's and Defendant's interest in a speedy trial.

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Unopposed Motion to Continue Trial, ECF No. 24, is
3 **GRANTED.**

4 2. Defendant's Motion to Expedite, ECF No. 26, is **GRANTED.**

5 3. The current trial date of July 11, 2022, is **STRICKEN** and **RESET** to
6 **September 12, 2022, at 9:00 a.m.**, commencing with a **final** pretrial conference at
7 **8:30 a.m.** All hearings shall take place in **Yakima**, Washington.

8 4. The pretrial conference on June 22, 2022, is **STRICKEN** and **RESET**
9 to **August 31, 2022, at 10:30 a.m.** in **Yakima**, Washington. Counsel shall advise
10 the Court regarding any dispositive change in the status of this case **at least five**
11 **(5) days prior to the pretrial conference.** Any motion to continue the pretrial
12 conference or trial shall be filed at the earliest practicable opportunity, but no later
13 than **seven (7) days prior to said proceeding.** Movant shall provide (1) specific
14 and detailed reasons for the continuance to permit the Court to make the necessary
15 findings; (2) if applicable, the Defendant's signed Speedy Trial Waiver; (3) the
16 position of opposing counsel; and (4) the proposed new date. Continuances are not
17 granted absent good cause.

18 5. All pretrial motions, including motions *in limine* and *Daubert*
19 motions, shall be filed and served on or before **August 15, 2022**, and noted for
20 hearing at the pretrial conference. Any response to a pretrial motion shall be filed
21 and served in accordance with Local Rule 7.1.

22 6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between July 11,
23 2022, the current trial date, until September 12, 2022, the new trial date, is
24 **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy
25 Trial Act. The Court finds that the ends of justice served by such a continuance
26 outweigh the public's and Defendant's interest in a speedy trial.

27 7. Trial briefs, proposed voir dire, jury instructions, verdict forms,
28 exhibit lists, expert witness lists, and summaries of expert testimony shall be filed

1 and served by all parties on or before **seven (7) calendar days prior to trial**. This
2 does not modify the parties' discovery obligations under Fed. R. Crim. P. 16.
3 Absent an agreement between the parties or an Order from the Court, the parties'
4 Fed. R. Crim. P. 16 discovery deadlines shall be governed by Local Criminal Rule
5 16.

6 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
7 enter this Order and furnish copies to counsel.

8 **DATED** this 6th day of June 2022.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

14 Stanley A. Bastian
15 Chief United States District Judge
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